

EXHIBIT 127

Excerpts of the Deposition of Brandon Vera

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon)
Fitch, Brandon Vera, Luis Javier)
Vazquez, and Kyle Kingsbury on)
behalf of themselves and all)
others similarly situated,)
)
Plaintiffs,)
)
vs.) Case No. 2:15-cv-
) 01045-RFB-(PAL)
Zuffa, LLC, d/b/a Ultimate)
Fighting Championship and UFC,)
)
Defendants.)
)

DEPOSITION OF BRANDON VERA

Taken at the Offices of Boies, Schiller & Flexner
300 South 4th Street, Suite 800
Las Vegas, Nevada

On Thursday, February 16, 2017
At 9:11 a.m.

Reported by: Jane V. Efaw, CCR #601, RPR

| | |
|---|--|
| <p style="text-align: right;">Page 178</p> <p>1 A. Uh-huh. 2 Q. Which is in May of 2014. 3 A. Yes, sir. 4 Q. And then the next day you got sent a new 5 contract. 6 A. Okay. 7 Q. Which you did not sign. That was in May of 8 2014. And then you were released in June of 2014. 9 Is that the correct timeline? 10 MR. KOFFMAN: Object to the form. He's 11 already answered this question. 12 THE WITNESS: Are you asking me is that the 13 timeline in my understanding, that this is the 14 timeline? 15 BY MR. SKAGGS: 16 Q. Yes. 17 A. I understand this is the timeline. 18 Q. And so at the time you were released in June 19 of 2014, did you still have one fight left on your 20 last Zuffa contract? 21 MR. KOFFMAN: Object to the form. 22 THE WITNESS: I don't know. I don't know. 23 BY MR. SKAGGS: 24 Q. All right. 25 A. I'd have to refer back to my contract when I</p> | <p style="text-align: right;">Page 180</p> <p>1 A. Yes, sir. 2 Q. And did you have a fight against Ben 3 Rothwell after that? 4 A. Yes, sir. 5 Q. So is that five fights total? 6 A. Yes, sir. 7 Q. And your contract was for six bouts? 8 A. Yes, sir. 9 Q. So you would have had one bout left at the 10 end of the contract when you were released? 11 A. Yes, sir. 12 Q. And you said two weeks after you were 13 released, you started talking to One? 14 A. About two weeks, yeah. 15 Q. About two weeks, okay. So that in 16 Plaintiff's interrogatory responses, quoting from the 17 interrogatory responses, Part of the scheme involving 18 fighter intimidation, Zuffa also engaged in the 19 practice of benching fighters with as little as one 20 fight left in their promotion and ancillary rights 21 contracts, providing unfavorable match-ups when the 22 fighter refused to sign a new contract. I'm 23 paraphrasing. 24 Being benched essentially meant that a 25 fighter would be forced to sit out for a lengthy</p> |
| <p style="text-align: right;">Page 179</p> <p>1 fought Ben to see what else is on there. 2 Q. It's Exhibit 64. So if you go back to 3 Exhibit 64. So if you go to 682. 4 A. Okay. 5 Q. Well, first let's start -- so the last page 6 of the document shows that you signed this on 7 December 3rd, 2009. Do you agree? 8 A. Yes, sir. That's what it shows. 9 Q. And then if we go back to 682, it says under 10 section 5.1, "The term is 26 months or six bouts." 11 Do you see that? 12 A. Yes, sir. 13 Q. So if you go to the Sher Dog list. It looks 14 like -- do you agree that it looks like your first 15 fight after this contract that was signed was against 16 Jon Jones? 17 A. Yes, sir. 18 Q. And then you had -- did you have a fight 19 against Thiago Silva after that? 20 A. Yes, sir. 21 Q. Did you have a fight against Eliot Marshall 22 after that? 23 A. Yes, sir. 24 Q. Did you have a fight against Mauricio Rua 25 after that?</p> | <p style="text-align: right;">Page 181</p> <p>1 period of time prior to being given the last fight on 2 his or her contract. Then it says, "Zuffa could 3 essentially use benching as a means to punish 4 fighters for disobeying or for seeking to negotiate 5 better terms, or simply to prevent fighters from 6 fighting for rival promoters or even from negotiating 7 with rival promoters." 8 Were you benched in the way that this 9 response describes? 10 MR. KOFFMAN: Object to form. That's a 11 pretty long thing that you just read, and part of 12 that you said you were paraphrasing. So if you could 13 show him a copy of that. 14 MR. SKAGGS: Okay. We can do that. 15 (Whereupon Defendant's Exhibit 69 16 was marked for identification.) 17 BY MR. SKAGGS: 18 Q. I think we're up to 69. So you've been 19 handed Exhibit 69. Do you recognize this document? 20 A. Yes, sir. 21 Q. Did you help put this together and 22 provide -- strike that. Did you help provide 23 information that went into this document? 24 A. Yes, sir. 25 Q. If you go to page 33. And the last</p> |

1 paragraph starts on line 20. You can read it over.
 2 I'm going to read it over again into the record,
 3 but --
 4 A. Which line?
 5 Q. Starting with line 20. You're good.
 6 A. Yes, sir.

7 Q. So were you benched in the way that is
 8 described in this paragraph?
 9 MR. KOFFMAN: Object to form. Calls for a
 10 legal conclusion. You can answer.

11 BY MR. SKAGGS:

12 Q. In 2014.

13 MR. KOFFMAN: Same objection.

14 THE WITNESS: 2014. It doesn't -- it does
 15 not appear to be.

16 BY MR. SKAGGS:

17 Q. And you were, in fact, released with one
 18 fight left on your contract; is that right?

19 MR. KOFFMAN: Object to form.

20 THE WITNESS: At that time, yes, sir.

21 BY MR. SKAGGS:

22 Q. And very shortly thereafter, you
 23 started negotiations with another MMA promoter?

24 A. Yes, sir.

25 Q. While you were under contract with Zuffa,

1 A. That region, yes, sir.
 2 Q. Did you have a fan base in southeast Asia?
 3 A. Yes, sir.
 4 Q. Had you achieved notoriety in southeast
 5 Asia?
 6 A. Yes, sir.
 7 Q. Okay. Are you still popular in the
 8 United States?
 9 A. Yes, sir.
 10 Q. And are you still popular in countries other
 11 than the United States?
 12 A. Yes, sir.
 13 MR. KOFFMAN: I know we haven't been going
 14 that long after lunch, but I kind of need a bathroom
 15 break when you're in a good spot.
 16 MR. SKAGGS: We can do it now.
 17 MR. KOFFMAN: Okay.
 18 THE VIDEOGRAPHER: We are going off the
 19 record. The time is approximately 2:17 p.m.
 20 (A brief recess was taken.)
 21 THE VIDEOGRAPHER: We are now back on the
 22 record. The time is approximately 2:32 p.m.
 23 (Whereupon Defendant's Exhibit 70
 24 was marked for identification.)
 25 ///

1 were you popular in the United States?
 2 MR. KOFFMAN: Object to the form.
 3 BY MR. SKAGGS:
 4 Q. Do you need to take a break?
 5 A. No, sir. I'm trying to figure out when I
 6 was cut. Sorry. It's really bugging me.
 7 Q. That's okay.
 8 A. I don't need to take a break. Sorry.
 9 Q. You can set that aside. While you were
 10 under contract with Zuffa, were you popular in the
 11 United States?
 12 A. Yes, sir.
 13 Q. And did you have a fan base in the
 14 United States?
 15 A. Yes, sir.
 16 Q. And had you achieved notoriety in the
 17 United States?
 18 A. Yes, sir.
 19 Q. And while you were under contract with
 20 Zuffa, were you popular in any countries other than
 21 the United States?
 22 A. Yes, sir.
 23 Q. Which countries?
 24 A. Southeast Asia.
 25 Q. So that whole area?

1 BY MR. SKAGGS:
 2 Q. Sob you've been handed what's been marked
 3 Exhibit 70. It's an article called "The Controlled
 4 Fury of Brandon Vera," dated October 21st of 2014.
 5 Do you remember this article?
 6 A. I don't, but I'll read it.
 7 Q. Yeah. Just let me know when you're ready.
 8 So do you see that paragraph maybe two-thirds of the
 9 way down? It starts, "When the UFC offered me a
 10 contract extension." Do you see that paragraph?
 11 A. Yes, sir.
 12 Q. It says "When UFC offered me a contract
 13 extension, that was so ridiculous, I said 'hell no.'
 14 I thought that it was like a slap on my face, so they
 15 can take it and shove it wherever you want."
 16 Does that quote refresh your recollection
 17 whether you had received a contract extension from
 18 Zuffa?
 19 MR. KOFFMAN: Object to the form.
 20 THE WITNESS: That doesn't put this contract
 21 in my mind. Reading this, it might have been when
 22 they had a verbal from somebody. I don't know who
 23 the verbal was, but it was half of what I was making,
 24 is what I remember. And then I remember talking to
 25 Dana, the last time I talked to him, he said he would

Page 258

1 CERTIFICATE OF DEPONENT
 2 PAGE LINE CHANGE REASON
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15 * * * * *

16
 17 I, BRANDON VERA, deponent herein, do hereby
 certify and declare the within and foregoing
 transcription to be my deposition in said action;
 that I have read, corrected and do hereby affix my
 signature to said deposition.

18
 19
 20
 21
 22 BRANDON VERA, Deponent

Page 259

1 REPORTER'S CERTIFICATE
 2 STATE OF NEVADA)
) SS:
 3 COUNTY OF CLARK)
 4 I, Jane V. Efaw, CCR No. 601, do hereby certify:
 5 That I reported the taking of the deposition of
 6 the witness, BRANDON VERA, at the time and place
 7 aforesaid;

8 That prior to being examined, the witness was by
 9 me duly sworn to testify to the truth, the whole
 10 truth, and nothing but the truth;

11 That I thereafter transcribed my shorthand notes
 12 into typewriting and that the typewritten transcript
 13 of said deposition is a complete, true and accurate
 14 transcription of said shorthand notes taken down at
 15 said time, and that a request has been made to review
 16 the transcript.

17 I further certify that I am not a relative or
 18 employee of counsel of any party involved in said
 19 action, nor a relative or employee of the parties
 20 involved in said action, nor a person financially
 21 interested in the action.

22 Dated at Las Vegas, Nevada, this _____ day of
 23 _____, 2017.

24
 25 Jane V. Efaw, CCR #601